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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 9

THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS

Mrs. Daes, Mr. Eide, Mrs. Forero Ucros, Mr. Guissé, Mrs. Gwanmesia,
Mr. Maxim, Mr. Mehedi and Mrs. Warzazi: draft resolution

1997/... Situation of street children and minor detainees

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Noting with satisfaction resolution 1997/78.VIII of the Commission on Human Rights concerning the plight of street children,

Reminding all the States parties to the Convention on the Rights of the Child of their obligations with regard to effective implementation of all its provisions,

Seriously concerned at reports from reliable sources indicating that in some countries street children and, in particular, minor detainees are suffering serious violations of human rights,

Deploring the fact that the governments concerned remain silent about the conditions of internment of young detainees, as regards the lack of infrastructure, the untrained personnel and the intolerable behaviour of this personnel towards these detainees,

Noting with concern the absence in the countries concerned of specific legislation to govern offences committed by minor children, the absence of preventive and educational measures for their reintegration into society which would enable minor detainees to become rehabilitated and no longer marginalized, as well as the very limited number of children's magistrates capable of understanding the problems of delinquent children and seeing that they are cared for,

1. Recommends to the Commission on Human Rights that it invite all States parties to the Convention on the Rights of the Child which have not already done so to incorporate all the provisions of the Convention in their domestic legislation, so as to ensure that the rights of the child are not subject to any infringement or violation;

2. Requests the Commission on Human Rights, having regard to the gravity of the violations suffered by street children, who are often manipulated by criminal groups, to consider the possibility of appointing a special rapporteur on the human rights situation of street children.